

# **Statistics of civil cases for debt**

## **February 2005**

**Embargoed until:  
21 April 2005  
9:30**

## Key figures for the month ended February 2005

	February 2005	% change between February 2004 and February 2005	% change between December 2003 to February 2004 and December 2004 to February 2005
<b>Actual estimates</b>			
Number of civil summonses issued for debt	115 910	-8,5	-10,0
Number of civil judgements recorded for debt	71 875	-11,1	-9,0
Value of civil judgements recorded for debt (R million)	591,5	+1,6	-4,4

## **Key findings as at the end of February 2005**

### **The number of civil summonses issued for debt decreases**

*The total number of civil summonses issued for debt for the three months ended February 2005 decreased by 10,0% compared with the three months ended February 2004.*

The major contributors to the decrease of 10,0% in civil summonses issued for debt for the three months ended February 2005 compared with the three months ended February 2004, were civil summonses issued in respect of money lent (-4,0 percentage points), promissory notes (-2,7 percentage points), rent (-1,8 percentage points) and goods sold on open account (-1,6 percentage points) (see table 5 column 2).

### **The number of civil judgements recorded for debt decreases**

*The total number of civil judgements recorded for debt for the three months ended February 2005 decreased by 9,0% compared with the three months ended February 2004.*

The major contributors to the decrease of 9,0% in the number of civil judgements recorded for debt for the three months ended February 2005 compared with the three months ended February 2004, were civil judgements in respect of rent (-2,6 percentage points), money lent (-2,2 percentage points), promissory notes (-1,9 percentage points) and 'other' debts (-1,6 percentage points) (see table 5 column 3).

### **The value of civil judgements recorded for debt decreases**

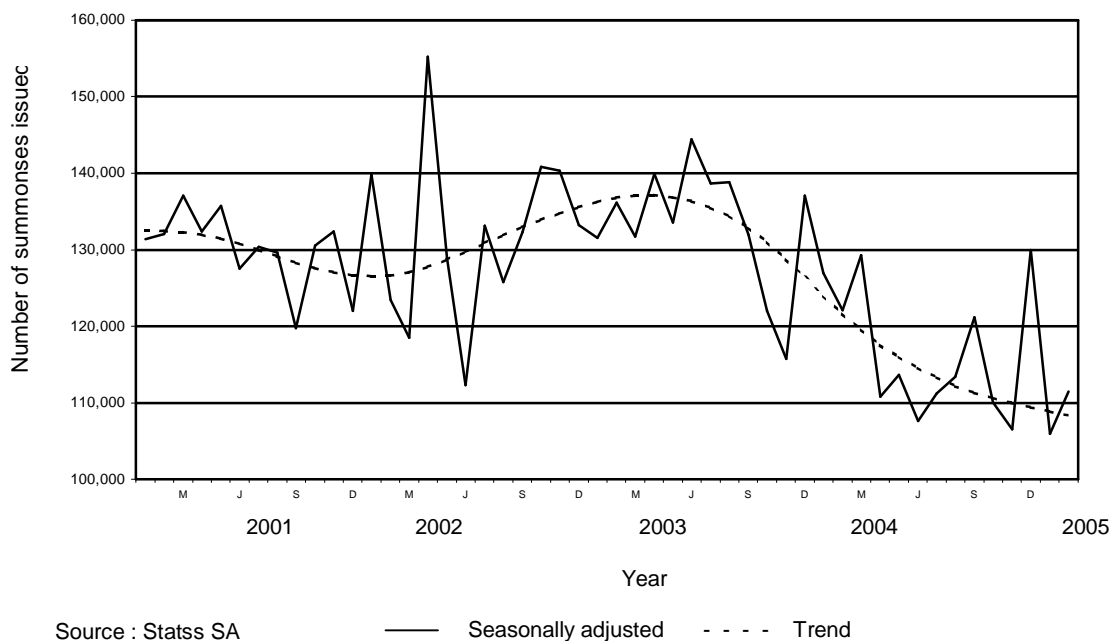
*The total value of civil judgements recorded for debt for the three months ended February 2005 decreased by 4,4% compared with the three months ended February 2004.*

The major contributors to the decrease of 4,4% in the value of civil judgements recorded for the three months ended February 2005 compared with the three months ended February 2004, were civil judgements recorded in respect of promissory notes (-3,3 percentage points), 'other' debts (-2,7 percentage points) and money lent (-2,3 percentage points). However, this decrease was lightly counteracted by an increase in civil judgements recorded in respect of 'other' services (+1,8 percentage points) and instalment transactions (+1,1 percentage points) (see table 5 column 4).

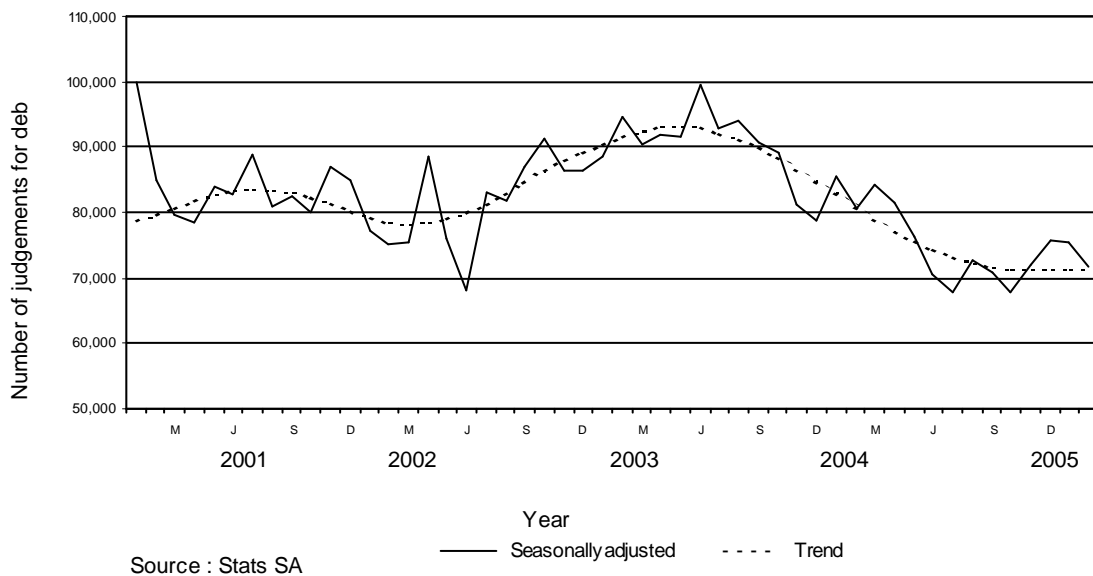
During February 2005, 71 875 civil judgements for debt, amounting to R591,5 million, were recorded. The largest contributors to the R591,5 million were civil judgements relating to money lent (R201,6 million or 34,1%), 'other' debts (R128,3 million or 21,7%), promissory notes (R70,8 million or 12,0%) and 'other' services (R64,7 million or 10,9%) (see table 4 column 5).

**Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded from 2001 to 2005**

**Figure 1 - Civil summonses issued for debt**



**Figure 2 - Civil judgements recorded for debt**



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Statistician-General**

## Notes

<b>Forthcoming issue</b>	<b>Issue</b>	<b>Expected release date</b>
	March 2005	26 May 2005
<b>Purpose of the survey</b>	The survey of Civil Cases for Debt covers a sample of magistrates' offices in South Africa, excluding the former Transkei, Bophuthatswana, Venda and Ciskei (TBVC states). This survey collects information regarding civil cases recorded, civil summonses issued and civil judgements recorded in order to provide users with information on the extent of unpaid debt in South Africa. The results of the survey are used by the private and public sectors as an indicator of economic performance.	
<b>Response rate</b>	The response rate for February 2005 was 78,0%.	

## Contents

	<b>Page</b>
Notes .....	4
<b>Tables</b>	
Table 1 Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons .....	6
Table 2 Number of civil cases recorded according to selected magistrates' offices .....	7
Table 3 Number of civil default and consent judgements for debt according to business enterprises and private persons .....	8
Table 4 Value of civil default and consent judgements for debt according to business enterprises and private persons.....	9
Table 5 Contribution of the different kinds of debts to the total number and value of debts recorded.....	10
Table 6 Percentage change in the total number and value of debts recorded between the current month and the corresponding month of the previous year .....	10
Table 7 Percentage change in the total number and value of debts recorded between the current quarter and the corresponding quarter of the previous year.....	10
Table 8 Percentage change in seasonally adjusted figures for the total number and value of debts recorded between the current month and the previous month.....	11
Table 9 Percentage change in seasonally adjusted figures for the total number and value of debts recorded between the current quarter and the previous quarter .....	11
<b>Explanatory notes</b> .....	12
<b>Glossary</b> .....	14
<b>General information</b> .....	16

Table 1 - Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons

Item	Business enterprises and private persons				Private persons			
	2004	2004	2005	2005	2004	2004	2005	2005
		Feb.	Jan.	Feb.		Feb.	Jan.	Feb.
1. Cases recorded								
1.1 Actual figures	1 594 269	143 116	117 217	135 653	1 468 203	131 996	107 964	125 157
1.2 Seasonally adjusted		139 396	131 517	132 114		128 766	121 095	121 977
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	166 745	15 695	11 857	14 277	146 808	13 901	10 536	12 678
2.1.2 Instalment sale transactions	50 254	4 207	3 712	5 776	46 274	3 921	3 472	5 543
2.2 Services								
2.2.1 Professional	167 273	14 080	12 221	13 642	158 478	13 410	11 450	12 671
2.2.2 Other	261 068	22 843	20 298	25 800	244 594	21 596	18 660	24 060
2.3 Rent	59 425	6 552	3 867	4 758	45 218	5 264	2 750	4 099
2.4 Money lent	325 544	28 135	19 444	21 441	310 493	26 765	18 711	20 638
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	131 093	12 109	5 413	10 445	121 148	11 350	4 889	9 552
2.6 Other	236 821	23 008	16 779	19 771	214 152	20 396	15 394	17 882
2.7 Total								
2.7.1 Actual figures	1 398 223	126 629	93 591	115 910	1 287 166	116 601	85 862	107 124
2.7.2 Seasonally adjusted		122 060	105 946	111 462		112 446	97 147	103 105

Table 2 - Number of civil cases recorded according to selected magistrates' offices

Year or month	Cape Peninsula	Port Elizabeth	East-London	Kimberley	Pietermaritzburg	Durban	Johannesburg	East Rand	West Rand	Pretoria	Vereeniging and Vanderbijlpark	Bloemfontein
2003	184 499	86 919	37 534	26 953	30 153	131 913	183 463	78 614	53 072	145 245	33 818	71 882
2004	143 146	81 408	37 375	13 044	19 321	121 484	169 721	87 621	51 872	128 803	25 498	55 835
2004 - J	13 627	7 634	2 149	1 370	1 249	8 053	14 070	5 493	3 745	11 949	1 568	3 417
F	15 167	6 921	2 149	1 957	1 713	9 997	16 006	6 014	5 127	11 989	2 513	4 337
M	12 787	10 896	3 587	1 957	2 427	10 711	17 689	9 544	5 759	12 922	2 827	3 945
A	10 087	5 786	2 243	1 957	1 215	8 415	11 018	5 510	3 806	7 605	2 252	4 542
M	11 545	8 252	3 521	990	1 712	11 633	14 059	7 474	4 564	9 739	2 504	4 542
J	12 390	3 174	3 521	790	1 682	11 346	12 525	6 408	4 375	9 692	1 442	4 542
J	12 988	3 174	4 823	1 100	2 052	10 239	14 059	5 847	4 347	10 652	2 015	5 292
A	11 424	7 185	3 034	710	1 663	10 867	14 059	8 433	4 750	9 826	2 021	5 676
S	10 897	5 063	3 087	710	1 837	10 867	14 059	7 954	4 369	10 797	1 494	5 676
O	9 933	5 483	3 087	488	1 112	8 878	14 059	9 423	3 928	11 728	3 001	5 676
N	10 688	8 920	3 087	488	1 574	10 239	14 059	8 729	4 388	14 231	2 134	4 195
D	11 613	8 920	3 087	527	1 085	10 239	14 059	6 792	2 714	7 673	1 727	3 995
2005 - J	11 896	6 551	3 087	527	1 578	10 239	14 059	3 865	3 547	9 006	2 093	3 995
F	14 772	6 551	7 256	895	1 781	9 815	14 059	4 927	4 152	12 240	2 592	4 182



Table 3 - Number of civil default and consent judgements for debt according to business enterprises and private persons

Item	Business enterprises and private persons				Private persons			
	2004	2004	2005	2005	2004	2004	2005	2005
		Feb.	Jan.	Feb.		Feb.	Jan.	Feb.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	112 511	9 857	7 493	8 160	103 007	9 072	6 856	7 510
1.1.2 Instalment sale transactions	16 017	1 821	1 252	1 034	14 307	1 691	1 154	932
1.2 Services								
1.2.1 Professional	84 612	6 973	5 470	5 881	80 025	6 654	5 246	5 660
1.2.2 Other	139 466	11 340	10 746	12 893	131 269	10 829	10 106	12 154
1.3 Rent	41 418	4 538	2 439	2 921	31 039	3 884	1 925	2 201
1.4 Money lent	308 851	28 186	21 796	24 653	303 361	27 890	21 465	24 371
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 137	8 280	5 859	7 255	89 724	7 824	5 752	7 039
1.6 Other	104 609	9 859	8 152	9 078	96 031	9 101	7 450	8 552
1.7 Total								
1.7.1 Actual figures	901 621	80 854	63 207	71 875	848 764	76 945	59 954	68 420
1.7.2 Seasonally adjusted		80 667	75 421	71 830		77 408	71 878	68 851

Table 4 - Value of civil default and consent judgements for debt according to business enterprises and private persons

Item	Business enterprises and private persons				Private persons			
	2004	2004	2005	2005	2004	2004	2005	2005
		Feb.	Jan.	Feb.		Feb.	Jan.	Feb.
R' 000								
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	585 615	47 384	46 823	46 657	453 401	37 342	38 062	36 555
1.1.2 Instalment sale transactions	284 507	22 264	23 169	31 694	233 000	19 536	23 000	26 819
1.2 Services								
1.2.1 Professional	260 267	17 083	20 130	24 568	226 121	14 986	18 007	22 608
1.2.2 Other	744 612	48 465	73 525	64 679	642 577	41 329	55 129	56 197
1.3 Rent	316 836	26 238	22 877	23 189	226 720	18 375	17 596	16 971
1.4 Money lent	2 285 479	192 232	173 040	201 615	2 200 833	182 130	158 232	194 903
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	902 100	117 827	72 079	70 768	826 289	111 516	68 298	64 859
1.6 Other	1 523 389	110 780	81 834	128 283	1 068 799	71 133	65 066	92 541
1.7 Total								
1.7.1 Actual figures	6 902 805	582 273	513 477	591 453	5 877 743	496 347	443 889	511 454
1.7.1 Seasonally adjusted		547 623	598 665	560 153		456 694	529 628	471 532

Table 5 - Contribution of the different kinds of debts to the total number and value of debts recorded

Different kinds of debts	Contribution percentage points to the percentage change in the total number of summonses for debt	Contribution percentage points to the percentage change in the total number of civil judgements for debt	Contribution percentage points to the percentage change in the total value of civil judgements for debt
Goods sold			
Open account	-1,6	-1,4	0,2
Instalment sale transactions	0,5	-0,4	1,1
Professional services	0,4	-1,1	0,9
Other services	0,6	2,2	1,8
Rent	-1,8	-2,6	-0,2
Money lent	-4,0	-2,2	-2,3
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	-2,7	-1,9	-3,3
Other debts	-1,4	-1,6	-2,7
<b>Total</b>	<b>-10,0</b>	<b>-9,0</b>	<b>-4,4</b>

The contribution (percentage points) is calculated by multiplying the quarterly percentage change of each kind of debt with the percentage contribution to the total number or value of cases recorded during December 2003 to February 2004, divided by 100.

Table 6 - Percentage change in the total number and value of debts recorded between the current month and the corresponding month of the previous year.

	Actual estimates February 2004	Actual estimates February 2005	% change between February 2004 and February 2005	Difference between February 2004 and February 2005
Number of summonses for debt	126 629	115 910	-8,5%	-10 719
Number of judgements for debt	80 854	71 875	-11,1%	-8 979
Value of judgements for debt	582 273	591 453	1,6%	9 180

Table 7 - Percentage change in the total number and value of debts recorded between the current quarter and the corresponding quarter of the previous year.

	Actual estimates December 2003 to February 2004	Actual estimates December 2004 to February 2005	% change between November 2003 to February 2004 and November 2004 to February 2005	Difference between December 2003 to February 2004 and December 2004 to February 2005
Number of summonses for debt	344 113	309 774	-10,0%	-34 339
Number of judgements for debt	216 402	196 829	-9,0%	-19 573
Value of judgements for debt	1 611 126	1 540 551	-4,4%	-70 575

Table 8 - Percentage change in seasonally adjusted figures for the total number and value of debts recorded between the current month and the previous month.

	Seasonally adjusted January 2005	Seasonally adjusted February 2005	% change between January 2005 and February 2005	Difference between January 2005 and February 2005
Number of summonses for debt	105 946	111 462	5,2%	5 516
Number of judgements for debt	75 421	71 830	-4,8%	-3 591
Value of judgements for debt	598 665	560 153	-6,4%	38 512

Table 9 - Percentage change in seasonally adjusted figures for the total number and value of debts recorded between the current quarter and the previous quarter.

	Seasonally adjusted September 2004 to November 2004	Seasonally adjusted December 2004 to February 2005	% change between September 2004 to November 2004 and December 2004 to February 2005	Difference between September 2004 to November 2004 and December 2004 to February 2005
Number of summonses for debt	337 726	347 400	2,9%	9 674
Number of judgements for debt	210 507	223 079	+6,0%	12 572
Value of judgements for debt	1 760 253	1 666 536	-5,3%	-93 717

## Explanatory notes

- Introduction**
- 1 Statistics South Africa (Stats SA) conducts a monthly sample survey of civil cases recorded and civil summonses for debt issued in South Africa. This information is obtained from selected magistrates' offices.
  - 2 Except for cases recorded, all other information relates to debt cases only, therefore claims for damages, ejection orders and other non-debt cases are excluded.
- Scope of the survey**
- 3 This survey covers -
    - Number of civil cases recorded;
    - Number of civil summonses issued for debt;
    - Number of civil judgements recorded for debt; and
    - Value of civil judgements recorded for debt.
- Statistical unit**
- 4 The statistical unit for collection of information is a magistrate's office. Magistrates' offices include the small claims courts.
  - 5 The largest magistrates' offices in South Africa, which account for approximately 95% of all the civil cases in South Africa, are included in the monthly survey of civil cases recorded and civil summonses for debt issued. The smallest magistrates' offices are not used in the sample. A sample of 152 magistrates offices is drawn using only the number of civil cases recorded as the measure of size.
- Survey methodology and design**
- 6 The survey is conducted by mail each month for approximately 152 magistrates' offices.
- Seasonal adjustment**
- 7 Seasonal adjustment (variation) is a means of removing the estimated effects of normal seasonal variation from the series so that the effects of other influences on the series can be more clearly recognised. Seasonal adjustment does not aim to remove irregular or non-seasonal influences which may be present in any particular month. Influences that are volatile or unsystematic can still make it difficult to interpret the movement of the series even after adjustment for seasonal variations. This means the month-to-month movements of seasonally adjusted estimates may not be reliable indicators of trend behaviour.
- Trend cycle**
- 8 Smoothed seasonally adjusted estimates are generated using the X-11 Seasonal Adjustment Programme.
- Publications**
- 9 Users may also wish to refer to the following publications:
    - *Bulletin of Statistics* issued quarterly.
    - *SA Statistics* issued annually.

**Unpublished statistics**

- 10** In some cases Stats SA can also make available statistics which are not included in standard publications. The statistics can be made available in one or more of the following ways: computer printout, CD or diskette. Generally a charge is made for providing unpublished statistics.

**Symbols and abbreviations**

- 11** R/D            Refer to Drawer  
CD              Compact Disc  
Stats SA        Statistics South Africa  
TBVC            Transkei, Bophuthatswana, Venda, Ciskei.

## Glossary

<b>Acknowledgement of debt</b>	Acknowledgement of debt is a statement by a person/debtor in which he admits that he owes money to an individual or a company or a bank.
<b>Bills</b>	Bills are statements of charges for services rendered or for amounts owed.
<b>Civil judgements</b>	Civil judgements are decisions taken in a civil matter or a dispute between two people or parties.
<b>Civil summonses</b>	Civil summonses are notices to appear before the court of law where a dispute between two parties or people has to be heard, i.e. not for a criminal offence.
<b>Consent judgements</b>	Consent judgements refer to where a debtor agrees to subject himself/herself to obey or accept a judgement of a court against him for a debt he owes without defending the action. This usually happens before the debtor signs a binding contract, e.g. a loan agreement.
<b>Default judgements</b>	Default judgements refer to where the court gives a judgement or a ruling against the defendant who is not present in court and was previously given a notice that was ignored, i.e. a judgement was given against a party or an individual while not present in court.
<b>Instalment sale transaction</b>	Instalment sale transactions relates to where a person buys goods on credit and pays for them in instalments, e.g. every week or month, until he/she settles the debt.
<b>Litigants</b>	Litigants are people who take part in court proceedings, usually against each other, like a debtor and a creditor.
<b>Litigants referred</b>	Litigants referred relates to a case where the parties have been referred to another instance/court.
<b>Open account transaction</b>	Open account transactions are revolving credit, i.e. where an account does not have a final payment date and a person can always take more goods and keep paying as long as he has credit.
<b>Other services</b>	“Other services” refers to municipal services (except outstanding assessment rates), plumbers, builders, mechanics, panel-beaters and electricians.
<b>Other debts</b>	“Other debts” refers to all other kinds of outstanding debts such as salaries and wages, outstanding medical fund debts, outstanding sponsored debts, outstanding class and tuition debt, outstanding income and sales, tax, outstanding assessment rates, outstanding money in respect of television maintenance contracts and outstanding money in respect of flat levies.

<b>Plaintiff</b>	Plaintiff is a person/party in a civil case who asks the court for judgement against another person.
<b>Professional services</b>	Professional services refers to medical doctors/dentists, advocates/attorneys, auditors/ accountants, architects, engineers and hospital services.
<b>Promissory note</b>	Promissory notes are written notes, signed by one person, in which he promises to pay money to another person, or to the bearer of such a note on a specific date or on demand.
<b>Reference month</b>	Reference month refers to one calendar month.
<b>Refer to drawer (R/D) cheques</b>	R/D Cheques refer to dishonoured cheques. The drawer is the owner of the cheque. When a person issues a cheque and there is no money in the cheque account, the bank will refuse to pay the bearer. The cheque will be referred back to the drawer.



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